

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

CABOT CORPORATION

AI # 1291

PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT
LA. R.S. 30:2001, ET SEQ.

* Settlement Tracking No.
* SA-AE-19-0001
*
* Enforcement Tracking No.
* AE-CN-12-01098
*
* Docket No. 2014-5460-EQ
*

SETTLEMENT

The following Settlement is hereby agreed to between Cabot Corporation (“Respondent”) and the Department of Environmental Quality (“DEQ” or “the Department”), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. (“the Act”).

I

Respondent is a corporation that owns and/or operates a carbon black production facility located in Evangeline Parish, Louisiana (“the Facility”).

II

On March 1, 2013, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. AE-CN-12-01098, attached as Exhibit 1.

III

In response to the Consolidated Compliance Order & Notice of Potential Penalty, Respondent made a timely request for a hearing.

IV

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties.

V

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of SEVENTEEN THOUSAND NINE HUNDRED FIFTY AND NO/100 (\$17,950.00) DOLLARS, of which Three Thousand Four-Hundred Thirty-Six and 03/100 (\$3,463.03) Dollars represents the Department's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

VI

Respondent further agrees that the Department may consider the inspection report(s)/permit record(s), the Consolidated Compliance Order & Notice of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

VII

This agreement shall be considered a final order of the Secretary for all purposes, including, but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may be required for interpretation of this agreement in any action by the Department to enforce this agreement.

VIII

This settlement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and settlement, the Department considered the factors for issuing civil penalties set forth in La. R. S. 30:2025(E) of the Act.

IX

As required by law, the Department has submitted this Settlement Agreement to the Louisiana Attorney General for approval or rejection. The Attorney General's concurrence is appended to this Settlement Agreement.

X

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Evangeline Parish, Louisiana. The advertisement, in form and wording approved by the Department, announced the availability of this settlement for public view and comment and the opportunity for a public hearing. Respondent has submitted an original proof-of-publication affidavit and an original public notice to the Department and, as of the date this Settlement is executed on behalf of the Department, more than forty-five (45) days have elapsed since publication of the notice.

XI

Payment is to be made within ten (10) days from notice of the Secretary's signature. If payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit A).

XII

In consideration of the above, any claims for penalties are hereby compromised and settled in accordance with the terms of this Settlement.

XIII

Each undersigned representative of the parties certifies that he or she is fully authorized to execute this Settlement Agreement on behalf of his or her respective party, and to legally bind such party to its terms and conditions.

Cabot Corporation

BY: Mark Suellentrop
(Signature)

Mark Suellentrop
(Printed)

TITLE: Facility General Manager

THUS DONE AND SIGNED in duplicate original before me this 30th day of September, 20 19, at Ville Platte, Louisiana

Angela B. Johns
NOTARY PUBLIC (ID # 35296)

(stamped or printed)

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
Chuck Carr Brown, Ph.D., Secretary

BY: [Signature]

Lourdes Iturralde, Assistant Secretary
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 18th day of Dec, 20 19, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # 19181)

Perry Theriot
(stamped or printed)

Approved: [Signature]

Lourdes Iturralde, Assistant Secretary

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

March 1, 2013

CERTIFIED MAIL (7003 2260 0000 5827 0202)
RETURN RECEIPT REQUESTED

CABOT CORPORATION
c/o C T Corporation Systems
Agent for Service of Process
5615 Corporate Boulevard, Suite 400B
Baton Rouge, Louisiana 70808

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-12-01098
AGENCY INTEREST NO. 1291**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **CABOT CORPORATION (RESPONDENT)** for the violations described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

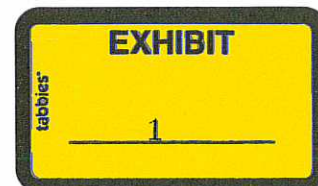
Any questions concerning this action should be directed to Tonya Landry at (225) 219-3785.

Sincerely,

A handwritten signature in black ink, appearing to read "Celena J. Cage".

Celena J. Cage
Administrator
Enforcement Division

CJC/TBL/tbl
Alt ID No. 0920-00001
Attachment



c: Cabot Corporation
c/o Edward Desocio, Facility Environmental Manager
2066 Cabot Road
Ville Platte, Louisiana 70586

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF	*	
	*	
CABOT CORPORATION	*	ENFORCEMENT TRACKING NO.
EVANGELINE PARISH	*	
ALT ID NO. 0920-00001	*	AE-CN-12-01098
	*	
	*	AGENCY INTEREST NO.
PROCEEDINGS UNDER THE LOUISIANA	*	
ENVIRONMENTAL QUALITY ACT,	*	1291
La. R.S. 30:2001, ET SEQ.	*	

CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **CABOT CORPORATION (RESPONDENT)** by the Louisiana Department of Environmental Quality (the Department), under the authority granted by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001, et seq., and particularly by La. R.S. 30:2025(C), 30:2050.2 and 30:2050.3(B).

FINDINGS OF FACT

I.

The Respondent owns and/or operates the Ville Platte Plant (the Facility), a carbon black production facility, located at or near 2066 Cabot Road, Ville Platte, Evangeline Parish, Louisiana. The Facility operates or has operated under the authority of the following Title V Air and PSD Permits:

PERMIT	ISSUE DATE	EXPIRATION DATE
0920-00001-V4	8/31/12	7/10/14
0920-00001-V3	8/1/11	7/10/14
0920-00001-V2	11/22/10	7/10/14
0920-00001-V1	7/10/09	7/10/14
0920-00001-V0	11/4/99	11/4/04
PSD-LA-587 (M-2)	7/10/09	N/A

PERMIT	ISSUE DATE	EXPIRATION DATE
PSD-LA-587 (M-1)	11/4/99	N/A

II.

On or about September 10 and 11, 2012, the Department conducted a file review to determine the Respondent's degree of compliance with the Act, the Air Quality Regulations, and all applicable permits from November 4, 1999, through August 1, 2011. While the review is not complete, the Department noted the violations found in paragraphs III-VII of the Findings of Fact portion of this enforcement action.

III.

The Respondent reported the following unauthorized releases:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	POLLUTANTS RELEASED (permit limit)	QUANTITY REPORTED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	Unauthorized Discharge Notification Report for Incident ID No. 131690 (6/2/11)	0920-00001-V2	67- Unit 4 Flare (EQT 0031)	1/28/11	VOC (2.20 lb/hr) Ammonia (0.003 lb/hr) Carbon Disulfide (0.73 lb/hr) Carbonyl Sulfide (0.25 lb/hr) Hydrogen Cyanide (0.17 lb/hr) Hydrogen Sulfide (1.50 lb/hr)	87.78 lbs 0.12 lbs 29.04 lbs 9.95 lbs 6.76 lbs 59.67 lbs	Unit 4 was shut down for maintenance on 1/24/11, and 3 flame pilots for the Unit 4 flare flamed-out due to heavy wind and rain. The Unit was started up on 1/28/11. The Distributed Control System immediately detected that the flare pilots were off and initiated an automatic, controlled shutdown of the unit. The Respondent reported the root causes of this incident to be inadequate training and awareness of SSMP and permit requirements. The Respondent also reported the Distributed Control System software interlocks were also inadequate to prevent introduction of feedstock oil into the reactor in the absence of pilot flames in the flare. The permitted maximum pounds per hour were exceeded for each of the pollutants	40 CFR 63.11(b)(3); 40 CFR 63.1105(c); 40 CFR 63.987(a); LAC 33:III.905; LAC 33:III.501.C.4; Title V Permit No. 0920-00001-V2

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	POLLUTANTS RELEASED (permit limit)	QUANTITY REPORTED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
							released during this event. Duration: 7 minutes, 11 seconds	
B.	Unauthorized Discharge Notification Report for Incident ID No. 123052 (5/5/10)	0920-00001-V1	57-84-Units 1,2,4 Pellet Dryer & Oil Heaters (Combine Stack) (EQT 0014)	4/27/10	Not applicable	Not applicable	A leaking coil in the East Oil Heater Unit (EQT 0014) resulted in a fire. The Respondent reported that the stack opacity limit of <= 20% was exceeded. Opacity of 20% to 50% was observed during the entire 3.5 hours of the fire event. The Respondent also reported that this incident was not preventable and that no permit limit or reportable quantity was exceeded as a result of this incident.	LAC 33:III.1311.C; LAC 33:III.501.C.4; Specific Requirement No. 94 of Title V Permit No. 0920-00001-V1

The failure to monitor and operate 67- Unit 4 Flare (EQT 0031) with a flame present at all times is a violation of 40 CFR 63.11(b)(3), 40 CFR 63.1105(c), and 40 CFR 63.987(a), which language has been adopted as a Louisiana regulation in LAC 33:III.5122, Specific Requirement Nos. 131, 138, and 151 of Title V Permit No. 0920-0000-V2, LAC 33:III.501.C.4, LAC 33:III.905, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). Each exceedance of 67-Unit 4 Flare (EQT 0031) maximum hourly permit limits for VOC, ammonia, carbon disulfide, carbonyl sulfide, hydrogen cyanide, and hydrogen sulfide is a violation of LAC 33:III.501.C.4, Title V Permit No. 0920-00001-V2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The failure to control opacity of 57-84-Units 1,2,4 Pellet Dryer & Oil Heaters (Combine Stack) (EQT 0014) so that the shade or appearance of the emissions are not denser than twenty (20) percent average opacity for more than one (1) six (6) minute period in any sixty (60) consecutive minutes is a violation of LAC 33:III.1311.C, Specific Requirement No. 94 of Title V Permit No. 0920-00001-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

IV.

The Respondent reported the following emission exceedances:

	REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	INCIDENT DATE	POLLUTANTS RELEASED	QUANTITY REPORTED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1/2	1- Unit 1 Main Filter (EQT 0003)	1/1/10-11/22/10	CO	Not reported (*provide quantity)	Based on calculations performed using the applicable operating parameters for the reporting period, the emissions were found to exceed the maximum annual CO emission limit of 0.30 tons/yr. The CO emission limit was changed to 0.70 tons/yr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 7,800 hrs.	Title V Permit No. 0920-00001-V1; LAC 33:III.501.C.4
B.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1/2	1- Unit 1 Main Filter (EQT 0003)	1/1/10-11/22/10	NOx	Not reported (*provide quantity)	Based on calculations performed using the applicable operating parameters for the reporting period, the emissions were found to exceed the maximum annual NOx emission limit of 0.40 tons/yr. The NOx emission limit was changed to 0.83 tons/yr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 7,800 hrs.	Title V Permit No. 0920-00001-V1; LAC 33:III.501.C.4
C.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1/2	41-77- Unit 2 Main Filter (EQT 0008)	1/1/10-11/22/10	CO	Not reported (*provide quantity)	Based on calculations performed using the applicable operating parameters for the reporting period, the emissions were found to exceed the maximum annual CO emission limit of 0.30 tons/yr. The CO emission limit was changed to 0.76 tons/yr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 7,800 hrs.	Title V Permit No. 0920-00001-V1; LAC 33:III.501.C.4

D.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1/2	41-77- Unit 2 Main Filter (EQT 0008)	1/1/10-11/22/10	NOx	Not reported (*provide quantity)	Based on calculations performed using the applicable operating parameters for the reporting period, the emissions were found to exceed the maximum annual NOx emission limit of 0.40 tons/yr. The NOx emission limit was changed to 0.91 tons/yr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 7,800 hrs.	Title V Permit No. 0920-00001-V1; LAC 33:III.501.C.4
E.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1/2	63A- Feedstock Storage Tank #1 (EQT 0023)	1/1/10-11/22/10	VOC	Not reported (*provide quantity)	Based on calculations performed for the reporting period, the emissions were found to exceed the maximum annual VOC emission limit of <0.01 tons/yr. The VOC emission limit was changed to 11.20 tons/yr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 7,800 hrs.	Title V Permit No. 0920-00001-V1; LAC 33:III.501.C.4
F.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1/2	63B- Feedstock Storage Tank #2 (EQT 0024)	1/1/10-11/22/10	VOC	Not reported (*provide quantity)	Based on calculations performed for the reporting period, the emissions were found to exceed the maximum annual VOC emission limit of <0.01 tons/yr. The VOC emission limit was changed to 11.20 tons/yr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 7,800 hrs.	Title V Permit No. 0920-00001-V1; LAC 33:III.501.C.4
G.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1/2	63C- Feedstock Storage Tank #3 (EQT 0025)	1/1/10-11/22/10	VOC	Not reported (*provide quantity)	Based on calculations performed for the reporting period, the emissions were found to exceed the maximum annual VOC emission limit of <0.01 tons/yr. The VOC emission limit was changed to 16.80 tons/yr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 7,800 hrs.	Title V Permit No. 0920-00001-V1; LAC 33:III.501.C.4

H.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	1- Unit 1 Main Filter (EQT 0003)	1/1/09-7/9/09	CO	Not reported (*provide quantity; date and duration for each event)	Based on calculations performed for the Annual Emissions Inventory using the 2009 natural gas usage, the emissions were found to exceed the maximum hourly CO emission limit of 0.6682 lbs/hr. The CO emission limit was changed to 2.80 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
I.		0920-00001-V1		7/10/09-12/31/09			Based on calculations performed for the Annual Emissions Inventory using the 2009 natural gas usage, the emissions were found to exceed the maximum hourly CO emission limit of 2.80 lbs/hr. The CO emission limit was changed to 4.11 lb/hr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 4,200 hrs.	
J.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0/1	1- Unit 1 Main Filter (EQT 0003)	1/1/09-12/31/09	CO	Not reported (*provide quantity)	Based on calculations performed for the Annual Emissions Inventory using the 2009 natural gas usage, the emissions were found to exceed the maximum annual CO emission limit of 0.0186 tons/yr (1/1/09-7/9/09) and 0.03 tons/yr (7/10/09-12/31/09). The CO emission limit was changed to 0.03 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09 and 0.70 tons/yr in 0920-00001-V2 that was issued on 11/22/10. Duration: 8,760 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4

K.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	1- Unit 1 Main Filter (EQT 0003)	1/1/09-7/9/09	NOx	Not reported (*provide quantity; date and duration for each event)	Based on calculations performed for the Annual Emissions Inventory using the 2009 natural gas usage, the emissions were found to exceed the maximum hourly NOx emission limit of 2.7530 lbs/hr. The NOx emission limit was changed to 3.30 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/10. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
L.		0920-00001-V		7/10/09-12/31/09			Based on calculations performed for the Annual Emissions Inventory using the 2009 natural gas usage, the emissions were found to exceed the maximum hourly NOx emission limit of 3.30 lbs/hr. The NOx emission limit was changed to 4.89 lb/hr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 4,200 hrs.	
M.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0/1	1- Unit 1 Main Filter (EQT 0003)	1/1/09-12/31/09	NOx	Not reported (*provide quantity)	Based on calculations performed for the Annual Emissions Inventory using the 2009 natural gas usage, the emissions were found to exceed the maximum annual NOx emission limit of 0.0743 tons/yr (1/1/09-7/9/09) and 0.40 tons/yr (7/10/09-12/31/09). The NOx emission limit was changed to 0.40 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09 and 0.83 tons/yr in 0920-00001-V2 that was issued on 11/22/10. Duration: 8,760 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4

N.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	1- Unit 1 Main Filter (EQT 0003)	1/1/09-7/9/09	PM ₁₀	Not reported (*provide quantity; date and duration for each event)	The Respondent reported a deviation regarding the maximum hourly PM ₁₀ permit limit of 0.2694 lbs/hr. The PM ₁₀ emission limit was changed to 0.32 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
O.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	1- Unit 1 Main Filter (EQT 0003)	1/1/09-7/9/09	PM ₁₀	Not reported (*provide quantity)	The Respondent reported a deviation regarding the annual PM ₁₀ permit limit of 0.0073 tons/yr. The PM ₁₀ emission limit was changed to <0.10 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
P.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	1- Unit 1 Main Filter (EQT 0003)	1/1/09-7/9/09	SO ₂	Not reported (*provide quantity; date and duration for each event)	The Respondent reported a deviation regarding the maximum hourly SO ₂ permit limit of 0.0105 lbs/hr. The SO ₂ emission limit was changed to 0.02 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
Q.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	1- Unit 1 Main Filter (EQT 0003)	1/1/09-7/9/09	SO ₂	Not reported (*provide quantity)	The Respondent reported a deviation regarding the annual SO ₂ permit limit of 0.0003 tons/yr. The SO ₂ emission limit was changed to <0.10 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
R.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	1- Unit 1 Main Filter (EQT 0003)	1/1/09-7/9/09	VOC	Not reported (*provide quantity; date and duration for each event)	The Respondent reported a deviation regarding the maximum hourly VOC permit limit of 0.0551 lbs/hr. The VOC emission limit was changed to 0.18 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4

S.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	1- Unit 1 Main Filter (EQT 0003)	1/1/09-7/9/09	VOC	Not reported (*provide quantity)	The Respondent reported a deviation regarding the annual VOC permit limit of 0.0015 tons/yr. The VOC emission limit was changed to <0.10 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
T.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	41-77- Unit 2 Main Filter (EQT 0008)	1/1/09-7/9/09	CO	Not reported (*provide quantity; date and duration for each event)	The Respondent reported a deviation regarding the maximum hourly CO permit limit of 1.3765 lbs/hr. The CO emission limit was changed to 2.80 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
U.		0920-00001-V1		7/10/09-12/31/09			The Respondent reported a deviation regarding the maximum hourly CO permit limit of 2.80 lbs/hr. The CO emission limit was changed to 3.42 lb/hr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 4,200 hrs.	
V.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	41-77- Unit 2 Main Filter (EQT 0008)	1/1/09-12/31/09	CO	Not reported (*provide quantity)	The Respondent reported a deviation regarding the annual CO permit limit of 0.0458 tons/yr (1/1/09-7/9/09) and 0.30 tons/yr (7/10/09-12/31/09). The CO emission limit was changed to 0.30 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09 and 0.76 tons/yr in 0920-00001-V2 that was issued on 11/22/10. Duration: 8,760 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4

W.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	41-77- Unit 2 Main Filter (EQT 0008)	1/1/09-7/9/09	SO ₂	Not reported (*provide quantity; date and duration for each event)	The Respondent reported a deviation regarding the maximum hourly SO ₂ permit limit of 0.0209 lbs/hr. The SO ₂ emission limit was changed to 0.02 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
X.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	41-77- Unit 2 Main Filter (EQT 0008)	1/1/09-7/9/09	SO ₂	Not reported (*provide quantity)	The Respondent reported a deviation regarding the annual SO ₂ permit limit of 0.0007 tons/yr. The SO ₂ emission limit was changed to <0.10 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
Y.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	41-77- Unit 2 Main Filter (EQT 0008)	1/1/09-7/9/09	VOC	Not reported (*provide quantity; date and duration for each event)	The Respondent reported a deviation regarding the maximum hourly VOC permit limit of 0.1101 lbs/hr. The VOC emission limit was changed to 0.18 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
Z.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	41-77- Unit 2 Main Filter (EQT 0008)	1/1/09-7/9/09	VOC	Not reported (*provide quantity)	The Respondent reported a deviation regarding the annual VOC permit limit of 0.0037 tons/yr. The VOC emission limit was changed to <0.10 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4

AA.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	41-77- Unit 2 Main Filter (EQT 0008)	1/1/09-7/9/09	NOx	Not reported (*provide quantity; date and duration for each event)	The Respondent reported a deviation regarding the maximum hourly NOx permit limit of 5.5059 lbs/hr. The NOx emission limit was changed to 3.30 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
BB.		0920-00001-V1		7/10/09-12/31/09			The Respondent reported a deviation regarding the maximum hourly NOx permit limit of 3.30 lbs/hr. The NOx emission limit was changed to 4.07 lb/hr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 4,200 hrs.	
CC.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	41-77- Unit 2 Main Filter (EQT 0008)	1/1/09-12/31/09	NOx	Not reported (*provide quantity)	The Respondent reported a deviation regarding the annual NOx permit limit of 0.1833 tons/yr (1/1/09-7/9/09) and 0.40 tons/yr (7/10/09-12/31/09). The NOx emission limit was changed to 0.40 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09 and 0.91 tons/yr in 0920-00001-V2 that was issued on 11/22/10. Duration: 8,760 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
DD.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	41-77- Unit 2 Main Filter (EQT 0008)	1/1/09-7/9/09	PM ₁₀	Not reported (*provide quantity; date and duration for each event)	The Respondent reported a deviation regarding the maximum hourly PM ₁₀ permit limit of 0.5388 lbs/hr. The PM ₁₀ emission limit was changed to 0.32 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4

EE.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	41-77- Unit 2 Main Filter (EQT 0008)	1/1/09-7/9/09	PM ₁₀	Not reported (*provide quantity)	The Respondent reported a deviation regarding the annual PM ₁₀ permit limit of 0.0179 tons/yr. The PM ₁₀ emission limit was changed to <0.10 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
FF.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	63A- Feedstock Storage Tank #1 (EQT 0023)	1/1/09-7/9/09	VOC	Not reported (*provide quantity; date and duration for each event)	The Respondent reported a deviation regarding the maximum hourly VOC permit limit of 0.1157 lbs/hr. The VOC emission limit was changed to 0.70 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
GG.		0920-00001-V1		7/10/09-12/31/09			The Respondent reported a deviation regarding the maximum hourly VOC permit limit of 0.70 lbs/hr. Title V Permit No. 0920-00001-V2 was issued on 11/22/10. Duration: 4,200 hrs.	
HH.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	63A- Feedstock Storage Tank #1 (EQT 0023)	1/1/09-12/31/09	VOC	Not reported (*provide quantity)	The Respondent reported a deviation regarding the annual VOC permit limit of 0.1514 tons/yr (1/1/09-7/9/09) and <0.10 tons/yr (7/10/09-12/31/09). The VOC emission limit was changed to <0.10 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09 and 11.20 tons/yr in 0920-00001-V2 that was issued on 11/22/10. Duration: 8,760 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4

II.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	63B- Feedstock Storage Tank #2 (EQT 0024)	1/1/09-7/9/09	VOC	Not reported (*provide quantity; date and duration for each event)	The Respondent reported a deviation regarding the maximum hourly VOC permit limit of 0.1157 lbs/hr. The VOC emission limit was changed to 0.70 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
JJ.		0920-00001-V1		7/10/09-12/31/09			The Respondent reported a deviation regarding the maximum hourly VOC permit limit of 0.70 lbs/hr. Title V Permit No. 0920-00001-V2 was issued on 11/22/10. Duration: 4,200 hrs.	
KK.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	63B- Feedstock Storage Tank #2 (EQT 0024)	1/1/09-12/31/09	VOC	Not reported (*provide quantity)	The Respondent reported a deviation regarding the annual VOC permit limit of 0.1514 tons/yr (1/1/09-7/9/09) and <0.10 tons/yr (7/10/09-12/31/09). The VOC emission limit was changed to <0.10 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09 and 11.20 tons/yr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 8,760 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4

LL.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	63C- Feedstock Storage Tank #3 (EQT 0025)	1/1/09-7/9/09	VOC	Not reported (*provide quantity; date and duration for each event)	The Respondent reported a deviation regarding the maximum hourly VOC permit limit of 0.1483 lbs/hr. The VOC emission limit was changed to 1.10 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
MM.		0920-00001-V1		7/10/09-12/31/09			The Respondent reported a deviation regarding the maximum hourly VOC permit limit of 1.10 lbs/hr. Title V Permit No. 0920-00001-V2 was issued on 11/22/10. Duration: 4,200 hrs.	
NN.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	63C- Feedstock Storage Tank #3 (EQT 0025)	1/1/09-12/31/09	VOC	Not reported (*provide quantity)	The Respondent reported a deviation regarding the annual VOC permit limit of 0.1604 tons/yr (1/1/09-7/9/09) and <0.10 tons/yr (7/10/09-12/31/09). The VOC emission limit was changed to <0.10 tons/yr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09 and 16.80 tons/yr in Title V Permit No. 0920-00001-V2 that was issued on 11/22/10. Duration: 8,760 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4
OO.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	89- Gasoline Storage Tank C (EQT 0039)	1/1/09-7/9/09	VOC	Not reported (*provide quantity; date and duration for each event)	The Respondent reported a deviation regarding the maximum hourly VOC permit limit of 0.0099 lbs/hr. The VOC emission limit was changed to 3.40 lb/hr in Title V Permit No. 0920-00001-V1 that was issued on 7/10/09. Duration: 4,560 hrs.	Title V Permit No. 0920-00001-V0; LAC 33:III.501.C.4

Each emission exceedance is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

V.

The Respondent reported the following violation from fugitive emission requirements:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	POLLUTANTS RELEASED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1	67- Unit 4 Flare (EQT 0031)	8/19/10-9/20/10	Not reported (*list pollutants released and quantity)	Did not complete re-monitoring of components within 15 days for a closed vent system component tail gas leaks detected on 8/19/10. Duration: 768 hrs. Repairs were completed on 8/30/10 and re-monitoring was completed on 9/20/10. Duration: 768 hrs.	40 CFR 63.1103(f)(3); LAC 33:III.5109.A; LAC 33:III.501.C.6; Specific Requirement Nos. 129 & 163 & 298
B.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1	1-96- Units 1&2 Flare (combine stack) (EQT 0004)	5/5/10-5/7/10	Not reported (*list pollutants released and quantity)	For a closed vent system component tail gas leak detected on 4/29/10, the first attempt was not made within 5 days of detecting the leak. The first attempt at repair was made on 5/11/10 and the leak was eliminated on 5/11/10. Duration: 48 hrs. (*provide type of component)	40 CFR 63.983(d)(2); LAC 33:III.501.C.6; Specific Requirement No. 27; Specific Requirement No. 298
C.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1	1-96- Units 1&2 Flare (combine stack) (EQT 0004)	3/19/10-6/30/10	Not reported (*list pollutants released and quantity)	3 leaks were detected on the VP-1 unit in December 2009 and were repaired on 3/4/10, re-monitoring to verify that the leaks were below the applicable leak definition was not performed. Duration: 2,472 hours. (*provide the date(s) and results of the monitoring that was performed for each leak)	40 CFR 63.1103(f)(3); 40 CFR 63.983(b)(1)(i)(B); LAC 33:III.501.C.6; Specific Requirement Nos. 15 & 20 & 298
D.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1	7-96- Unit 3 Flare (EQT 0033)	1/1/10-6/30/10	Not reported	Did not have data to indicate that difficult-to-monitor components were identified during the initial monitoring performed. During the 2010 Annual LDAR inspection performed in September 2010, all difficult-to-monitor components were identified. Cabot shall maintain a written plan that requires monitoring once every 5 yrs. Duration: 4,320 hrs.	40 CFR 63.983(b)(3); LAC 33:III.501.C.6; Specific Requirement Nos. 185 & 298
E.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1	7-96- Unit 3 Flare (EQT 0033)	2/1/10-9/20/10	Not reported (*list pollutants released and quantity)	Did not complete repairs before the end of the next closed-vent system shutdown (2/10-12/10) for a closed vent system component tail gas leaks detected on 2/1/10. The Respondent also reported that it did not complete re-monitoring of components within 15 days. The repairs were completed on 6/23/10 and re-monitoring was completed on 9/30/10. Duration: 5,544 hrs.	LAC 33:III.501.C.6; 40 CFR 63.1103(f)(3); 40 CFR 63.983(d)(3); Specific Requirement No. 175 & 188 & 298

F.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	1-96- Units 1&2 Flare (combine stack) (EQT 0004); 67- Unit 4 Flare (EQT 0031); 7-96- Unit 3 Flare (EQT 0033)	1/1/09-12/31/09	Not reported	Identify difficult-to-monitor components of the closed vent system and maintain a written plan that requires inspection of the equipment at least once every 5 years. The Respondent also reported that it did not have data to indicate that difficult-to-monitor components were identified during the initial monitoring. Duration: 4,560 hrs.	40 CFR 63.983(b)(3)
G.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	7-96- Unit 3 Flare (EQT 0033)	3/2/09-4/22/09	Not reported (*list pollutants released and quantity)	For a closed vent system leak found on 2/11/09, the Respondent did not repair the leak before the end of the next closed vent system shutdown that occurred on 3/2/09. The leak was repaired on 4/22/09. Duration: 1,224 hrs.	40 CFR 63.983(d)(2) 40 CFR 63.983(d)(3)
H.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0/1	67- Unit 4 Flare (EQT 0031)	4/2/09-8/27/09	Not reported (*list pollutants released and quantity)	For a closed vent system leak found on 3/2/09, the Respondent did not repair the leak before the end of the next closed vent system shutdown that occurred on 4/2/09. The leak was repaired 8/27/09.	40 CFR 63.983(d)(2) 40 CFR 63.983(d)(3)

Each deviation from fugitive emission requirements is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, and 40 CFR 63 Subpart SS, which language has been adopted as a Louisiana regulation in LAC 33:III.5122, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

VI.

The Respondent failed to meet the following reporting requirements:

	REPORT (date)	PERMIT NUMBER	REPORTING REQUIREMENT	EMISSION POINT	DATE OF OCCURENCE	REGULATORY or PERMIT REQUIREMENTS
A.	Unauthorized Discharge Notification Report for Incident ID No. 134188 (9/30/11)	0920-00001-V3	According to Section 9 of the notification, the cause of the low pressure condition in the fuel gas system is under investigation. The Respondent failed to submit an update, every sixty (60) days until the investigation was complete, of the status of the ongoing investigation of this unauthorized discharge and the results of the investigation that included details of the circumstances including, but not limited to the root cause.	1-96- Units 1&2 Flare (combine stack) (EQT 0004)	9/24/11	LAC 33:1.3925.A.3

	REPORT (date)	PERMIT NUMBER	REPORTING REQUIREMENT	EMISSION POINT	DATE OF OCCURENCE	REGULATORY or PERMIT REQUIREMENTS
B.	Unauthorized Discharge Notification Report for Incident ID No. 134188 (9/30/11)	0920-00001- V3	According to Section 9 of the notification, the cause of the low pressure condition in the fuel gas system is under investigation. The Respondent failed to submit an update, every sixty (60) days until the investigation was complete, of the status of the ongoing investigation of this unauthorized discharge and the results of the investigation that included details of the circumstances including, but not limited to the root cause.	1-96- Units 1&2 Flare (combine stack) (EQT 0004)	11/20/11	LAC 33:1.3925.A.3
C.	2010 Annual Compliance Certification (3/31/11)	0920-00001- V1	The MACT Periodic Report submitted on 5/28/10 for the period of 10/1/09- 3/31/10 did not include all the information specified in 40 CFR 63.999(c)(1) through (c)(7). The information referred to in 40 CFR 63.999(c)(2)(i), the date of the first attempt to repair the leak for was not provided in the MACT report.	1-96- Units 1&2 Flare (combine stack) (EQT 0004)	1/1/10-3/31/10	40 CFR 63.999(c); LAC 33:III.501.C.4; Specific Requirement No. 37 of Title V Permit No. 0920- 00001-V1
D.	2010 Annual Compliance Certification (3/31/11)	0920-00001- V1/2	The Startup, Shutdown, Malfunction submitted as part of the MACT Periodic Report on 5/28/10 for the period of 10/1/09-3/31/10 did not state whether all actions taken during the startup, shutdown, and malfunction events were consistent with the procedures specified in the plan.	Unit or Facility Wide (UNF 0001)	1/1/10-11/30/10	LAC 33:III.501.C.4; Specific Requirement No. 287 of Title V Permit No. 0920- 00001-V1; Specific Requirement No. 325 of Title V Permit No. 0920- 00001V2

E.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1	<p>During the course of preparation of the previous deviation report, it was determined that deviations from certain permit conditions that occurred in the previous reporting period were not reported in the annual compliance certification and the semiannual monitoring & deviation reports submitted on 3/31/10.</p> <p>(*provide deviations or reference reports that deviations were report (include specific dates; associated permit number(s); emission points; description; cause; pollutant; quantity of pollutant; applicable regulation)</p>	Unit or Facility Wide (UNF 0001)	1/1/10-6/30/10	<p>LAC 33:III.501.C.4; LAC 33:III.535.A; LAC 33:III.507.H.5; Specific Requirement No. 291 of Title V Permit No. 0920-00001-V1</p>
F.	<p>2011 Annual Compliance Certification (3/29/12);</p> <p>2010 Annual Compliance Certification (3/31/11);</p> <p>2009 Annual Compliance Certification (3/31/10)</p>	0920-00001-V1/2/3	<p>The Respondent failed to provide information that was sufficient to assure compliance with the terms and conditions of the permit by not including specific dates of incidents or event; name of pollutants associated with the incident or event; cause of the incident or event; corrective actions taken; cause of deviation; regulatory citation</p>	Facility Wide	<p>1/1/11-12/13/11;</p> <p>1/1/10-12/31/10;</p> <p>1/1/09-12/31/09</p>	<p>LAC 33:III.535.A LAC 33:III.507.H</p>
G.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	<p>The Respondent did not submit a written report within 7 days of any emission in excess of permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported leaks at the VP 1 Main Unit Filter (northeast, northwest, and southwest corners) from 1/1/09-5/5/09. Maintenance repaired leak on 5/5/09. Duration: 2,976 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent</p>	VP 1 Main Unit Filter	1/1/09-5/5/09	<p>LAC 33:III.501.C.4; Title V Permit No. 0920-00001-V0; Part 70 General Condition R; General Condition XI</p>

			recurrence; date repaired)			
H.	2009 Annual Compliance Certification (3/31/10)	0920-00001-VO	The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported leaks at the VP 1 Dryer Duiker Burner from 1/1/09-6/10/09. Maintenance repaired leak during next shutdown. Duration: 3,840 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)	VP 1 Dryer Duiker Burner	1/1/09-6/10/09	LAC 33:III.501.C.4; Title V Permit No. 0920-00001-VO; Part 70 General Condition R; General Condition XI
I.	2009 Annual Compliance Certification (3/31/10)	0920-00001-VO	The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP4 Main Unit Filter Tail Gas Header pipe from 1/1/09-4/23/09. Maintenance repaired leak during next shutdown. Duration: 2,688 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)	VP4 Main Unit Filter Tail Gas Header pipe	1/1/09-4/23/09	LAC 33:III.501.C.4; Title V Permit No. 0920-00001-VO; Part 70 General Condition R; General Condition XI

J.	2009 Annual Compliance Certification (3/31/10)	0920-00001-VO	<p>The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP4 Dryer Burner Area from 1/1/09-2/10/09. Maintenance repaired leak. Duration: 960 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)</p>	VP4 Dryer Burner Area	1/1/09-2/10/09	<p>LAC 33:III.501.C.4; Title V Permit No. 0920-00001-VO; Part 70 General Condition R; General Condition XI</p>
K.	2009 Annual Compliance Certification (3/31/10)	0920-00001-VO	<p>The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the support VP2 tail gas header before #5 Dryer from 1/1/09-2/13/09. Maintenance repaired leak during next downtime. Duration: 1,032 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)</p>	support VP2 tail gas header before #5 Dryer	1/1/09-2/13/09	<p>LAC 33:III.501.C.4; Title V Permit No. 0920-00001-VO; Part 70 General Condition R; General Condition XI</p>

L.	2009 Annual Compliance Certification (3/31/10)	0920-00001-VO	<p>The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP3 Purge Filter Exhaust Line Control Valve from 2/17/09-6/10/09. Maintenance tightened packing to repair leak. Duration: 2,712 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)</p>	VP3 Purge Filter Exhaust Line Control Valve	2/17/09-6/10/09	LAC 33:III.501.C.4; Title V Permit No. 0920-00001-VO; Part 70 General Condition R; General Condition XI
M.	2009 Annual Compliance Certification (3/31/10)	0920-00001-VO/1	<p>The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP2 MUF roof (repressuring dampers, posts) from 1/1/09-10/27/09. Maintenance tightened packing and repaired leak. Duration: 7,176 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)</p>	VP2 MUF roof (repressuring dampers, posts)	1/1/09-10/27/09	LAC 33:III.501.C.4; Title V Permit No. 0920-00001-VO; Part 70 General Condition R; General Condition XI

N.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0/1	<p>The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP1 pipe above tail gas fan from 1/1/09-11/4/09. Maintenance repaired leak during fan overhaul. Duration: 7,368 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)</p>	VP1 pipe above tail gas fan	1/1/09-11/4/09	<p>LAC 33:III.501.C.4; Title V Permit No. 0920-00001-V0; Part 70 General Condition R; General Condition XI</p>
O.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0/1	<p>The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP1 Main Unit Filter above #3 door from 1/1/09-10/27/09. Maintenance repaired leak. Duration: 7,176 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)</p>	VP1 Main Unit Filter above #3 door	1/1/09-10/27/09	<p>LAC 33:III.501.C.4; Title V Permit No. 0920-00001-V0; Part 70 General Condition R; General Condition XI</p>

P.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0/1/2	<p>The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP3 Dryer Burner Gasket between flanges from 1/15/09-12/31/09. Duration: 8,400 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)</p>	VP3 Dryer Burner Gasket between flanges	1/15/09-12/31/09	<p>LAC 33:III.501.C.4; Title V Permit No. 0920-00001-V0; Part 70 General Condition R; General Condition XI</p>
Q.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0/1/2	<p>The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP2 #5 Dryer tail gas block valve from 1/15/09-12/31/09. Duration: 8,400 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)</p>	VP2 #5 Dryer tail gas block valve	1/15/09-12/31/09	<p>LAC 33:III.501.C.4; Title V Permit No. 0920-00001-V0; Part 70 General Condition R; General Condition XI</p>

R.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0/1/2	<p>The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP4 Purge Filter roof near Main Unit Filter from 1/27/09-12/31/09. Duration: 8,112 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)</p>	VP4 Purge Filter roof near Main Unit Filter	1/27/09-12/31/09	LAC 33:III.501.C.4; Title V Permit No. 0920-00001-V0; Part 70 General Condition R; General Condition XI
S.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V1/2	<p>The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP3 Purge Filter outlet block slide gate from 7/20/09-12/31/09. Maintenance tightened packing to repair leak. Duration: 3,936 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)</p>	VP3 Purge Filter outlet block slide gate	7/20/09-12/31/09	LAC 33:III.501.C.4; Title V Permit No. 0920-00001-V0; Part 70 General Condition R; General Condition XI

T.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V1	<p>The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP1 Main Unit Filter roof beams between compartments 1 & 3 and 4 & 6. From 8/17/09-8/28/09. Maintenance repaired leak at next downtime. Duration: 264 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)</p>	VP1 Main Unit Filter roof beams between compartments 1 & 3 and 4 & 6	8/17/09-8/28/09	LAC 33:III.501.C.4; Title V Permit No. 0920-00001-V0; Part 70 General Condition R; General Condition XI
U.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V1/2	<p>The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP2 #1 Dryer tail gas block valve from 8/21/09-12/31/09. Maintenance repaired leak when the dryer was down. Duration: 3,168 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)</p>	VP2 #1 Dryer tail gas block valve	8/21/09-12/31/09	LAC 33:III.501.C.4; Title V Permit No. 0920-00001-V0; Part 70 General Condition R; General Condition XI

V.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V1	The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP1 Dryer Burner from 8/31/09-10/2/09. Duration: 768 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)	VP1 Dryer Burner	8/31/09-10/2/09	LAC 33:III.501.C.4; Title V Permit No. 0920-00001-V0; Part 70 General Condition R; General Condition XI
W.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V2	The Respondent did not submit a written report within 7 days of emission in excess of the permit requirements by an amount greater than the reportable quantity or any emission in excess of the permit requirements, regardless of the amount, where emissions occur over a period of 7 days or longer. The Respondent reported a leak at the VP1 Dryer burner leak in weld on top of burner from 12/27/09-12/31/09. Duration: 96 hrs. (*provide a detailed description of the event; emission points; pollutant released; quantity of the pollutant; applicable regulations/permit limits; root cause of the event; preventative measures taken to prevent recurrence; date leak was repaired)	VP1 Dryer burner leak in weld on top of burner	12/27/09-12/31/09	LAC 33:III.501.C.4; Title V Permit No. 0920-00001-V0; Part 70 General Condition R; General Condition XI

Each violation from reporting requirements is a violation of applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

VII.

The Respondent reported the following unpermitted emissions:

	REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	INCIDENT DATE	POLLUTANTS RELEASED (permit limit)	DESCRIPTION	REGULATORY or PERMIT REQUIREMENTS
A.	2010 Annual Compliance Certification (3/31/11);	0920-00001-V0/1/2	63A- Feedstock Storage Tank #1 (EQT 0023);	1/1/10-11/22/10	TAPs (*provide each pollutant and quantity)	During the process of evaluating the feasibility of using a new feedstock, Cabot conducted an analysis of the feedstock and found that the current feedstock contained additional Toxic Air Pollutants (TAPs) that were not included in Title V Permit No. 0920-00001-V1 and V0. The Respondent submitted modification applications to incorporate the new internal analytical data for the feedstock in Title V Permit No. 0920-00001-V1 was issued on 7/10/09, and Title V Permit No. 0920-00001-V2 that was issued on 11/22/10.	LAC 33:III.501.C.2
B.	2009 Annual Compliance Certification (3/31/10)		63B- Feedstock Storage Tank #2 (EQT 0024);	1/1/09-12/31/09			

C.	2010 Annual Compliance Certification (3/31/11);	0920-00001-V1/2	CAP- Facility-wide Process Emissions CAP (GRP 0001)	1/1/10-11/22/10	TAPs (*provide pollutant and quantity)	Based on recent information available to the Respondent, it was determined that there may be additional TAPs emitted from these sources that are not included in the permit. The Respondent submitted a modification application on 6/29/10 to incorporate the new internal analytical data for the feedstock in Title V Permit No. 0920-00001-V1 issued on 7/10/09, and Title V Permit No. 0920-00001-V2 issued on 11/22/10.	LAC 33:III.501.C.2
D.	2009 Annual Compliance Certification (3/31/10)			7/10/09-12/31/09			

E.	2009 Annual Compliance Certification (3/31/10)	0920-00001-V0	1- Unit 1 Main Filter (EQT 0003); 1-96- Units 1 & 2 Flare (Combine Stack) (EQT 0004); 32-95- Unit 3 Process Filter (EQT 007); 57-84- Units 1,2,4 Pellet Dryer & oil Heaters (Combined Stack) (EQT 0014); 67- Unit 4 Flare (EQT 0031) 69- Unit 4 Process Filter (EQT 0032); 7-96- Unit 3 Flare (EQT 0033); 70- Unit 4 Pellet Dryer Purge Gas Filter (EQT 0034); 73- Unit 3 Pellet Dryers (Combine Stack) (EQT 0038)	1/1/09-7/9/09	TAPs (*provide pollutant and quantity)	Based on information available to the Respondent, it was determined that there may potentially be additional TAPs emitted from these sources that are not included in the permit. Title V Permit No. 0920-00001-V1 was issued on 7/10/09. Duration 4,560 hrs.	LAC 33:III.501.C.2
F.	Semiannual Monitoring and Deviation Reporting (9/29/10)	0920-00001-V1	Unit or Facility Wide (UNF 0001)	1/1/10-6/30/10	Not reported (*provide pollutant and quantity)	During the course of preparation of the deviation report, it was determined that fugitive emissions from components in heavy liquid service at the plant have not been permitted. (*provide the date a permit modification was submitted to include these unpermitted emissions; applicable regulations; dates the components were monitored)	LAC 33:III.501.C.2

Emissions of the unpermitted pollutant is a violation of LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

COMPLIANCE ORDER

Based on the foregoing, the Respondent is hereby ordered:

I.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Act, the Air Quality Regulations, and all applicable permits.

II.

To submit to the Enforcement Division, within sixty (60) days after receipt of this **COMPLIANCE ORDER**, a written report that includes required information as denoted by an asterisk (*) in paragraphs III through VII of the Findings of Fact and the following table:

	REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	INCIDENT DATE	DESCRIPTION	POLLUTANTS INVOLVED (permit limit)	QUANTITY REPORTED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	2011 Annual Compliance Certification (3/29/12); 2010 Annual Compliance Certification (3/31/11)	0920- 00001- V3/2/1 (*provide permit number for each event)	1-96- Units 1&2 Flare (combine stack) (EQT 0004)	1/1/11- 12/13/11; 2/15/10- 12/31/10 (*provide specific dates for each event)	Incident leaks of tail gas due to equipment failures (such as cracks, leaks) and malfunctions leading to emissions of organic compounds. (*for each event provide 1) detailed description; 2) the date(s) the leaks were corrected; 3) corrective measures taken; 4) preventative measures taken to prevent recurrence)	Organic compounds (*provide specific pollutants and its associated permit limit)	(*provide the quantity of each pollutant that was released for each event)	(*provide the cause of each event)	(*provide the regulatory and permit requirement associated with each event)

	REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	INCIDENT DATE	DESCRIPTION	POLLUTANTS INVOLVED (permit limit)	QUANTITY REPORTED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
B.	2011 Annual Compliance Certification (3/29/12); 2010 Annual Compliance Certification (3/31/11); Semiannual Monitoring & Deviation Report (9/29/10); 2009 Annual Compliance Certification (3/31/10)	0920-00001-V1/2/3	(*provide EQT and description)	1/1/11-12/13/11; 1/1/10-12/31/10; 1/1/09-12/31/09 (*provide specific dates for each event)	Incidental releases of carbon black solid from process equipment due to cracks, leaks, and other malfunctions leading to un-measurable emissions of particulate matter. (*for each event provide 1) detailed description; 2) the date(s) the leaks were corrected; 3) corrective measures taken; 4) preventative measures taken to prevent recurrence)	Carbon black solid (*provide specific pollutants and its associated permit limit)	(*provide the quantity of each pollutant that was released for each event)	(*provide the cause of each event)	(*provide the regulatory and permit requirement associated with each event)
C.	2010 Annual Compliance Certification (3/31/11)	0920-00001-V1	67- Unit 4 Flare (EQT 0031)	1/28/10-3/3/10	Incidental leak of tail gas due to hole in pipe leading to emissions of organic compounds. Duration: 816 hrs. (*provide 1) detailed description; 2) the date(s) the leak was corrected; 3) corrective measures taken; 4) preventative measures taken to prevent recurrence)	Organic compounds (*provide specific pollutants and its associated permit limit)	(*provide the quantity of each pollutant that was released for each event)	(*provide the cause of each event)	(*provide the regulatory and permit requirement associated with each event)

	REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	INCIDENT DATE	DESCRIPTION	POLLUTANTS INVOLVED (permit limit)	QUANTITY REPORTED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
D.	Unauthorized Discharge Notification Report for Incident ID No. 134188 (9/30/11)	0920-00001-V3	1-96- Units 1&2 Flare (combine stack) (EQT 0004)	9/24/11	The flow of tail gas to the combined combustion users became inconsistent, causing a low pressure malfunction in the fuel gas system during start up of Units 1 and 2 after maintenance. Excess tail gas is controlled by Units 1 & 2 Flare (EQT 0004).	Max. lbs/hr permit limit VOC (4.50) Ammonia (0.01) Carbon Disulfide (1.50) Carbonyl Sulfide (0.51) Hydrogen Cyanide (0.36) Hydrogen Sulfide (3.10)	Estimated from Flare 42.35 lbs 0.094 lbs 14.12 lbs 4.80 lbs 3.39 lbs 29.18 lbs	Section 9 of the Unauthorized Discharge Notification Report stated that the cause of the low pressure condition in the fuel gas system was under investigation. (*provide the cause of the low pressure; preventative measures taken to prevent recurrence)	(*More information required)
E.	Unauthorized Discharge Notification Report for Incident ID No. 135431 (11/23/11)	0920-00001-V3	1-96- Units 1&2 Flare (combine stack) (EQT 0004)	11/20/11	The main unit filter outlet pressure sensor became plugged and malfunctioned during the startup of Unit 2 after a maintenance outage. Excess tail gas is controlled by Units 1 & 2 Flare (EQT 0004).	Max. lbs/hr permit limit for EQT 0004 VOC (4.50) Ammonia (0.01) Carbon Disulfide (1.50) Carbonyl Sulfide (0.51) Hydrogen Cyanide (0.36) Hydrogen Sulfide (3.10)	Estimated from Flare 50.01 lbs 0.111 lbs 16.68 lbs 5.66 lbs 4.00 lbs 34.50 lbs	Section 9 of the Unauthorized Discharge Notification Report stated that the cause of the main unit filter outlet pressure sensor malfunction was under investigation. (*provide the cause of the sensor becoming plugged; preventative measures taken to prevent recurrence)	(*More information required)

	REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	INCIDENT DATE	DESCRIPTION	POLLUTANTS INVOLVED (permit limit)	QUANTITY REPORTED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
F.	Verbal Notification for Incident ID No. 12185 (3/7/10)	0920-00001-V2	Not reported (*provide EQT)	3/7/10	Not reported	Not reported (*provide if pollutants were released and if exceeded the RQ)	Not reported (*provide amount of pollutants released)	A pump failure resulted in the release of several gallons of crude oil into a diked area. Site was secured and oil mop was contracted to clean up the spill. (*provide the root cause of the event)	(*provide applicable citation)

III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Tonya Landry
Re: Enforcement Tracking No. AE-CN-12-01098
Agency Interest No. 1291

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are

located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. AE-CN-12-01098
Agency Interest No. 1291

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Department's Rules of Procedure. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible

enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

NOTICE OF POTENTIAL PENALTY

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted *within ten (10) days of receipt of this notice.*

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Tonya Landry at (225) 219-3785 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement.

IV.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 01 day of March, 2013.



Cheryl Sonnier Nolan
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Tonya Landry